

FILED

JAN 21 2021

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACHARY HOVIS,

Defendant.

4:21CR035 SEP/DDN

**MOTION FOR PRETRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Cassandra J. Wiemken, Assistant United States Attorney for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with two counts of Distribution of a Controlled Substance, including one count of Distribution of a Controlled Substance resulting in death and one count of Distribution of a Controlled Substance resulting in serious bodily injury, all in violation of 21 U.S.C. § 841(a)(1). He is subject to a mandatory minimum twenty-year sentence if convicted on either count.
2. Additionally, the rebuttable presumption of detention applies to this Defendant. Title 18, United States Code, Section 3142(e)(3)(B).

3. Given the significant incentive to flee that Defendant now faces, there is no condition or combination of conditions that will ensure his appearance at trial.

4. There is also clear and convincing evidence that Defendant is a danger to the community. One of his victims has already died. And, Defendant's social media activity reveals that he was with that victim the morning of her death. Additionally, Defendant's social media posts indicate that Defendant is a drug dealer, and specifically a fentanyl dealer. In January of 2020, Defendant was, in fact, arrested with fentanyl.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

/s/ Cassandra J. Wiemken  
CASSANDRA J. WIEMKEN, #91586KY  
Assistant United States Attorney